IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.69 OF 2007
IN
APPEAL FROM ORDER NO.888 OF 2004

Nivrutti Babu Shinde & Ors. ..Applicants.

V/s.

Dattu Dhondi Shirke & Ors. ..Respondents.

Mr.P.R.Arjunwadkar for applicants.

Mr.P.S.Dani for Respondent Nos.1 and 3.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 19, 2007.

P.C. :

1. None appears for the applicants. Dismissed for non-prosecution.

2. Later on Mr.Arjunwadkar, advocate for applicants appeared and mentioned the matter for restoration of the application, as he was held up in some other court. For the reasons mentioned across the bar, request for recalling the order passed in morning session is accepted. Accordingly, civil application is restored to the file to its original number and heard immediately.

3. For the reasons mentioned in the application,

having remained uncontroverted and being sufficient cause, application is allowed in terms of prayer clause (a) and (b), subject to removing of office objection within four weeks, failing which earlier dismissal order will stand revived.